

Remarks

This Preliminary Amendment is being submitted with a Request for Continued Examination. This is also in response to the final Office Action dated November 9, 2006 where the Examiner finally rejected all pending claims.

Claim Amendments

Claims 1 and 12 are amended to further delineate the claimed present invention and do not add any new matter beyond the specification as originally filed. As amended, claims 1 and 12 more succinctly recite that the search query is received from a user across a network connection and that query results are transmitted thereback. By way of example, page 3, lines 7-26 describe networked connections for the user to conduct searching operations. Therefore, Applicants request entrance and examination of the amended claims.

Final Office “Response to Arguments”

Applicants must respectfully traverse and herein disagree with the Examiner’s interpretation of the teachings of U.S. Patent No. 6,401,118 (“Thomas”) and the Examiner’s response on page 3 of the final Office Action. Specifically, the Examiner indicates that Thomas discloses on col. 9, lines 5-55 “returning a web-page containing text, picture files and sound files.” Closer inspection of the Examiner-cited passage reveals that this is not a search result consistent with the claimed invention, but rather is nothing more than a database entry. For even greater clarity of this passage, Thomas states that “a full archive of the pages is done to the storage media or file system 104.”

(col. 9, lines 54-55). Storing these documents in a database is wholly and completely inconsistent with the claimed limitations of “transmitting at least one text (non-text) element representation of said query results to a (the) user.” While the difference is readily self-evident, to obviate all ambiguity, a basic difference exists in that Thomas discloses storing in a database and claims 1 and 12 recite transmitting to the user.

While Applicants maintain this position and maintain that the Examiner’s position improperly interprets Thomas, Applicants herein submit amended claims 1 and 12 to advance the prosecution of the present application.

Pending Claims

In the final Office Action, all pending claims stood rejected as being anticipated by Thomas.

Claims 7 & 18 (and dependents)

As to claims 7 and 18 (and subsequent dependent claims), Applicants re-submit the previously offered positions to which the Examiner has not provided a responsive position. Specifically, Applicants submit that Independent claims 7 and 18 also comprise elements directed towards representations of text and non-text indexable elements, and are therefore also allowable for at least the same reasons previously presented as to claim 1 in the previous Amendments.

Claims 1 & 12 (and dependents)

For the sake of brevity, Applicants resubmit the previously offered position in the Amendment filed October 4, 2006 that Thomas is an analogous

system. As evidenced by Fig. 1 of Thomas, the system is a closed system that monitors active web locations for Intellectual Property monitoring. The “inside” components on the left-hand side of Fig. 1 illustrate the closed system components that communicates with the “outside” through the firewall 112. This closed system requires a user to be within the “inside” to operate the Intellectual Property Infringement Server (“IPIS”) 106. Additionally, Thomas clearly and succinctly discloses the search results being generated for the purpose of database storage operations (see, e.g. col. 9, lines 54-55).

Claims 1 and 12, as currently presented, recite that the search query is received “from a user across a network connection” and the query results are transmitted to the user “across the network connection.” As indicated above, Thomas does not disclose either (a) receiving network-based user queries and transmitting networked-based results because it discloses a closed “inside” system; and (b) transmitting search results to users because the Thomas systems “stores” results which is direct contradiction to the limitation of “transmitting.”

Additionally dependent claims 2-3, 6, 13-14 and 17 recite further patentable subject matter and are allowable for at least the same reasons as stated above regarding Independent claims 1 and 12.

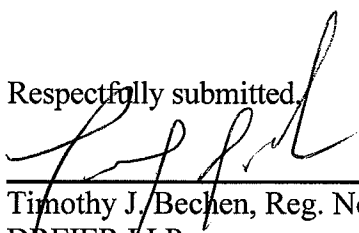
Therefore, Applicants submit that all pending claims are not anticipated by and are patentable over Thomas.

For at least all of the above reasons, Applicants respectfully request that the Examiner withdraw all rejections and objections, and allowance of all the pending claims is respectfully solicited. To expedite prosecution of this application to allowance, the examiner is invited to call the applicants' undersigned representative to discuss any issues relating to this application.

Dated: April 9, 2007

THIS CORRESPONDENCE IS BEING
SUBMITTED ELECTRONICALLY THROUGH
THE PATENT AND TRADEMARK OFFICE
EFS FILING SYSTEM ON APRIL 9, 2007.

Respectfully submitted,



Timothy J. Bechen, Reg. No. 48,126
DREIER LLP

499 Park Ave.
New York, New York 10022
Tel : (212) 328-6000
Fax: (212) 600-9499

Customer No. 61834